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## Television

# Trying Times At CBS

## The News Folks: Battle-Wearied Over the Westmoreland Case

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Mike Wallace has become the first victim of battle fatigue in the new media wars. The 66-year-old correspondent and star of "60 Minutes" was hospitalized Sunday for exhaustion brought on in part, associates say, by his days in the New York courtroom where retired Army general William C. Westmoreland is suing CBS for \$120 million.

If a state of media war does exist, the Westmoreland case could well be its Gettysburg.

Westmoreland claims he was libeled by the 1982 documentary "The Uncounted Enemy: A Vietnam Deception," which alleged a "conspiracy" on the part of military leaders to mislead politicians and the public about the number of enemy troops in Vietnam in 1967. Wallace was the correspondent for the report.

Within CBS News, from top to bottom, many are disturbed and concerned by the way the trial has distracted and even obsessed those in administrative positions. A sign on commentator Bill Moyers' door says, "Free Howard Stringer," a reference to the news division's executive vice president, who has been embroiled in trial matters for weeks, virtually sealed off from the rest of the world.

Others there worry about the "chilling effect" that the trial, regardless of what the verdict will finally be, is having on the willingness of reporters and producers at CBS News and elsewhere to tackle potentially troublesome stories. Some feel the trial will accelerate what they see as an already obvious drift into softer, less troublesome, TV newscasting.

Says one CBS News insider, "When subjects

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are mentioned that might stir people up, there's a kind of inarticulated grunt, as if to say, 'Oh my God, this is not the time to take *that* on.' People are even writing memos differently, being very careful so that nothing could be used against them later in a courtroom."

Asked if Wallace's illness was aggravated by the trial, which resumed yesterday and which Wallace had been attending daily for weeks, Don Hewitt, executive producer of "60 Minutes," said, "No question about it. This guy has great pride in what he does. He's not happy to have a jury passing judgment on his professional life. A jury's verdict in a case like this sort of becomes a referendum on your soul. No one likes to have a referendum on their soul. I think it gets to a lot of people."

One of Wallace's working colleagues says of him, "He's possessed by the case. He thinks about it all the time. He feels he is innocent. He's a journalist, and to have this come down on him this late in his career is very hard on him. He gets really upset about it." Another high-ranking Wallace colleague said prior to Wallace's hospitalization that he had turned into "the proverbial basket case" because of the trial.

Wallace himself said, in late November, "It's not easy going into a courtroom every day and hearing yourself accused of being dishonest."

Some within CBS News are feeling the anguish of having the integrity of their operation questioned. And others find the trial a frustrating nuisance (one that may run until March) that has interfered with the fundamental operations of the division.

The official version is that all is well, or at least better than might be expected. Van Gordon Sauter, CBS News president when the documentary aired and now CBS Inc. executive vice president, said yesterday, "The suit, much to my surprise, has had no impact on the day-to-day operations of CBS News. No impact on the institu-

tion. It has had a profound impact on a few individuals, but no impact whatsoever on the organization."

CBS News president Edward M. Joyce said he is personally maintaining vigilance to see that there is no discouragement of tough-minded journalism within the organization. "I am determined there will be no chilling effect," Joyce said. "It must not be allowed to happen."

But Joyce also said he sees the Westmoreland case as part of a "pattern of assaults on the information flow" that is "abroad in the land" and that threatens the courage of those news organizations that do not have "the deep pockets of CBS" and cannot afford the enormous expenses of litigation.

"It is plausible that there could indeed be *that* kind of chilling effect," Joyce said. He thinks the "pattern of assaults" also includes former Israeli defense minister Ariel Sharon's \$50 million libel suit against Time magazine (being tried in the same courthouse as the Westmoreland case), the CIA's appeal to the FCC for sanctions against ABC News over an erroneous story reported there, and the rise of "ideologically based groups" that raise funds for the sole purpose of suing news organizations. Westmoreland's defense has been bankrolled by the conservative Capital Legal Foundation.

"There is abroad in the land this new mind-set that the mechanisms exist to bring an 'errant' press under control," Joyce said. "These things represent a collective pattern that I find worrisome . . . It's a new climate, which at this point is only an attempt. Will it be successful? I don't know, but we're determined it will not be successful at CBS News."

Dan Burt, Westmoreland's lawyer, has spoken of aspiring to the "dismantling" of CBS News and has referred to the organization of being "rotten to the core." Lane Venardos, executive producer of "The CBS Evening News," said yesterday that Burt refuses to speak with any CBS reporters who are covering the story and does not invite any CBS reporters to his press conferences. Clearly, the people within CBS News think of Burt's mission as a vendetta, pure and simple, against the supposedly "liberal" press.

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Whether CBS News is undergoing the big chill as a result of the trial is disputed by those who work there, but many do feel there have been serious effects. One executive insisted yesterday that "this isn't the worst thing that could happen to a news organization." Asked what could possibly be worse, he replied, "If we lose."